



# Employment Rights Act 1996

## 1996 CHAPTER 18

### [<sup>F1</sup>PART 8A

#### FLEXIBLE WORKING]

#### **80F Statutory right to request contract variation**

- (1) A qualifying employee may apply to his employer for a change in his terms and conditions of employment if—
  - (a) the change relates to—
    - (i) the hours he is required to work,
    - (ii) the times when he is required to work,
    - (iii) where, as between his home and a place of business of his employer, he is required to work, or
    - (iv) such other aspect of his terms and conditions of employment as the Secretary of State may specify by regulations, and
  - (b) his purpose in applying for the change is to enable him to care for someone who, at the time of application, is a child in respect of whom he satisfies such conditions as to relationship as the Secretary of State may specify by regulations.
- (2) An application under this section must—
  - (a) state that it is such an application,
  - (b) specify the change applied for and the date on which it is proposed the change should become effective,
  - (c) explain what effect, if any, the employee thinks making the change applied for would have on his employer and how, in his opinion, any such effect might be dealt with, and
  - (d) explain how the employee meets, in respect of the child concerned, the conditions as to relationship mentioned in subsection (1)(b).
- (3) An application under this section must be made before the fourteenth day before the day on which the child concerned reaches the age of six or, if disabled, eighteen.

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*Status: Point in time view as at 08/10/2004. This version of this provision has been superseded.*

**Changes to legislation:** Employment Rights Act 1996, Section 80F is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (4) If an employee has made an application under this section, he may not make a further application under this section to the same employer before the end of the period of twelve months beginning with the date on which the previous application was made.
- (5) The Secretary of State may by regulations make provision about—
  - (a) the form of applications under this section, and
  - (b) when such an application is to be taken as made.
- (6) The Secretary of State may by order substitute a different age for the first of the ages specified in subsection (3).
- (7) In subsection (3), the reference to a disabled child is to a child who is entitled to a disability living allowance within the meaning of section 71 of the Social Security Contributions and Benefits Act 1992 (c. 4).
- (8) For the purposes of this section, an employee is—
  - (a) a qualifying employee if he—
    - (i) satisfies such conditions as to duration of employment as the Secretary of State may specify by regulations, and
    - (ii) is not an agency worker;
  - (b) an agency worker if he is supplied by a person (“the agent”) to do work for another (“the principal”) under a contract or other arrangement made between the agent and the principal.

**Status:**

Point in time view as at 08/10/2004. This version of this provision has been superseded.

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